

Message Text

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44

ACTION ARA-17

INFO OCT-01 ADP-00 SCA-01 EB-11 COME-00 AID-20 OMB-01

TRSE-00 OPIC-12 CIAE-00 DODE-00 PM-09 H-02 INR-10

L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-12

JUSE-00 RSR-01 /130 W

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R 151916 Z MAY 73

FM AMEMBASSY MONTEVIDEO

TO SECSTATE WASHDC 4447

C O N F I D E N T I A L MONTEVIDEO 1480

E. O. 11652: GDS

TAGS: BDIS PINT UY

SUBJECT: AMCO REPUBLIC INTERNATIONAL VS GOU MINISTRY OF
PUBLIC WORKS

REF : STATE 089682

1. I REVIEWED AMCO CASE WITH FOREIGN MINISTER BLANCO ON MAY 11, DRAWING UPON REFTEL. MINISTER SUGGESTED THAT IT WOULD BE USEFUL FOR MINISTRY'S LEGAL ADVISOR, DR. EDISON GONZALEZ LAPEYRE, TO RECEIVE THIS LATEST INFORMATION AND ASKED THAT MEETING BETWEEN EMBASSY REPRESENTATIVES AND GONZALEZ BE ARRANGED. EMBOFFS BRIEFED GONZALEZ ON MAY 15, COVERING POINTS IN REFTEL. HE STATED THAT HE UNDERSTOOD THAT APPEAL OF JURISDICTIONAL QUESTION (APPLICATION OF CALIFORNIA " LONG ARM STATUTE") WOULD NOT PREJUDICE THEIR CLAIM OF SOVEREIGN IMMUNITY, AND THAT HE WOULD THEREFORE RECOMMEND THAT APPEAL BE FILED.

2. IN THE EVENT THAT THE APPEAL IS NOT SUCCESSFUL, GONZALEZ SAID THAT MEANS WOULD HAVE TO BE FOUND TO SETTLE THE MATTER WITHIN A CONTEXT OF PROPER RESPECT FOR THE U. S. JURIDIARY. THE POLITICAL ISSUE WOULD BE POSED WHEN THE EXECUTIVE SOUGHT TO OBTAIN SPECIAL LEGISLATION TO AUTHORIZE PAYMENT OF THE
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JUDGMENT. FUNDS PREVIOUSLY APPROPRIATED FOR THE CONSULTANT'S
CONTRACT HAVE ALREADY BEEN PAID OUT TO THE FIRM THAT ULTIMATELY
DID THE WORK. GONZALEZ EMPHASIZED POLITICAL EXPLOSIVENESS
OF THE PROBLEM, BUT RECOGNIZED THAT DIVISION OF POWERS IN THE
U. S. PRECLUDED INTERVENTION BY EXECUTIVE BRANCH INTO THE
JUDICIAL PROCEEDINGS.
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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

Message Attributes

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Channel Indicators: n/a
Current Classification: UNCLASSIFIED
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Draft Date: 15 MAY 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: n/a
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Executive Order: RR
Errors: n/a
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From: MONTEVIDEO
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ISecure: 1
Legacy Key: link1973/newtext/t19730545/aaaajfmo.tel
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Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Review Comment: n/a
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EO Systematic Review
30 JUN 2005

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Subject: AMCO REPUBLIC INTERNATIONAL VS GOU MINISTRY OF PUBLIC WORKS
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To: ARA
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Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005